

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

NATIONAL UNION FIRE)	
INSURANCE COMPANY OF)	
PITTSBURGH, PA.,)	
)	
Plaintiff,)	
)	Case No. CIV-21-547-D
v.)	
)	
NEW DOMINION, LLC, <i>et al.</i>)	
)	
Defendants.)	

ORDER

Before the Court is the Cooper Defendants’ Motion for Judgment on the Pleadings [Doc. No. 35] under Fed. R. Civ. P. 12(c). During the pendency of the Motion, Plaintiff filed an authorized Second Amended Complaint [Doc. No. 62], which “supersedes the [prior pleading] and renders it of no legal effect.” *Davis v. TXO Prod. Corp.*, 929 F.2d 1515, 1517 (10th Cir. 1991) (internal quotation omitted); *see Predator Int’l, Inc. v. Gamo Outdoor USA, Inc.*, 793 F.3d 1177, 1180-81 (10th Cir. 2015); *Mink v. Suthers*, 482 F.3d 1244, 1254 (10th Cir. 2007). Defendants’ Motion seeks a judgment on claims that do not appear in the Second Amended Complaint, and therefore, the Motion is moot.

IT IS THEREFORE ORDERED that the Cooper Defendants’ Motion for Judgment on the Pleadings [Doc. No. 35] is **DENIED**.

IT IS SO ORDERED this 7th day of March, 2022.



TIMOTHY D. DeGIUSTI
Chief United States District Judge